01-29-08

I



Atty. Dkt. No. 058951-0167

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Caius Rommens, et al.

Title:

PRECISE BREEDING

Appl. No.:

10/607,538

Filing Date:

6/27/2003

Examiner:

David T. Fox

Art Unit:

Confirmation

Number:

11. Fox

1638

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CERTIFICATE OF EXPRESS MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 424658610 US January 28, 2008 (Express Mail Label Number) (Date of Deposit)

(Signature)

(Printed Name)

AMENDMENT TRANSMITTAL

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- [] Assertion of Small Entity status is enclosed.
 - [X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	17	-	44	=	0	х	\$50.00	=	\$0.00
Independent Claims:	1	-	7	=	0	x	\$210.00	=	\$0.00
First	presentation	of a	any Multiple	Depe	endent Claims:	+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL							=	\$0.00	

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$120.00	\$0.00	
[] Extension for response filed within the second month:	\$460.00	\$0.00	
[] Extension for response filed within the third month:	\$1,050.00	\$0.00	
[] Extension for response filed within the fourth month:	\$1,640.00	\$0.00	
[] Extension for response filed within the fifth month:	\$2,230.00	\$0.00	
	EXTENSION	N FEE TOTAL:	\$0.00	
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00	
	CLAIMS, EXTENSION AND DISCLAIMER	R FEE TOTAL:	\$0.00	
[] Small Entity Fees Apply (subtract	ct ½ of above):	\$0.00	
	Extension Fees Previously Paid:			
		TOTAL FEE:	\$0.00	

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Ву

Respectfully submitted,

Data

January 28, 2.08

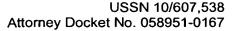
FOLEY & LARDNER LLP Customer Number: 22428 Telephone: (312) 832-5763

Facsimile: (312) 832-4700

Richard C. Peet, Reg. No. 35,792

Vid S. Mohan-Ram, Reg. No. 55,459

V.S. Noble



Mail Stop

January 28, 2008

(Date of Deposit)

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Amendment, Commissioner for Patents, P.O.

rinted Name

(Signature)

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(Express Mail Label Number)

EV 424658610 US

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Applicant:

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Title:

PRECISE BREEDING

Appl. No.:

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Filing Date:

06/27/2003

Examiner:

David T. Fox

Art Unit:

1638

Confirm. No.

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AMENDMENT AND REPLY UNDER 37 C.F.R. 1.111

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This communication is responsive to the non-Final Office Action (a restriction requirement) dated December 26, 2007, concerning this case. Applicants consider this paper timely filed on Monday, January 28, 2008, without fee, since January 26th fell on a Saturday. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Amendments to the Claims begins on page 2. Remarks/Arguments begin on page 5.

Please amend the application as follows: